

# Notice of Allowability

Application No.

10/782,184

Examiner

Fetsum Abraham

Applicant(s)

WU ET AL.

Art Unit

2826

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amt after fial filed on 9/19/05.
2. ☒ The allowed claim(s) is/are 1-10,13-16,28 and 29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**Examiner's comment**

For the record, claim 1 was discussed as the general concept of the invention and the amendment was agreed upon between both parties on claim 1. Although claim 6 was not discussed in the interview (9/29/05) and the continued conversation that extended through 9/30/05, the examiner believes that the changes made on claim 6 would not create conceptual conflict with the claimed invention.

Clearly, claim1 and its dependents had been allowed in the last office action of 7/13/05. However, examining the action carefully, the examiner thought of the need to amend the claim to completely overcome the prior art (fig. 5 of PN: 5,949,655). As can be seen from the structure, there is plurality of recesses in the internal edges of the foot portions resulting in a reduced width at said recesses.

In contrast, the claimed invention (figure 3) shows the recesses as being formed in the external edges of the foot portions.

The following amendment was therefore made In view of that realization.

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Justin Liu on 9/29-30/05.

The application has been amended as follows:

The expression "external" has been added before the "edges" in line 6 of claim 1 and in line 8 of claim 6 and line 8 of claim 13.

**Statement of reasons for allowance**

**Claims 1-10, 13-16, 28, 29 have been allowed.**

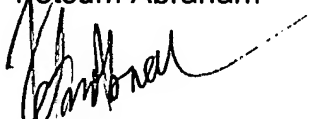
So far as claims 1,6 and 13 are concerned, the claimed packaging structure as a whole and specifically the associated foot sections of the lid with recesses in the external portions of the element and the specific motivations taught in pages 1 and 2 of the specification are not taught or rendered obvious by the prior arts.

So far as claim 28 is concerned, the method of attaching the lid and the substrate through holes at the conical foot sections of the lid and extending bonding agent provided on the substrate into the holes for the motivation thought in the specification is not taught or rendered obvious by the prior arts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fetsum Abraham whose telephone number is: 571-272-1911. The examiner can normally be reached on 8:00 - 18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on 571-272-1915.

Fetsum Abraham



9/30/05